HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.17753 of 2000

Date: 22.08.2007

Between:

P. Narsing Rao

....Petitioner

and

The Deputy Registrar of Coop. Societies, and others

....Respondents

HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.17753 of 2000

O R D E R:

This writ petition is filed challenging the award dated 5.2.2000 passed by the 1st respondent in ARC No.1305/1999-J1, at the instance of the 2nd respondent.

The main ground urged on behalf of the petitioner is that the 2nd respondent-Cooperative Urban Bank had to approach the Debt Recovery Tribunal for recovery of the amount due to it and that it cannot invoke the provisions of the A.P. Cooperative Societies Act and Rules made thereunder.

A Full Bench of this court in **M. BABU RAO AND OTHERS V. DY. REGISTRAR OF COOPERATIVE SOCIETIES** ([1]), in fact, has taken such a view. However, subsequently, the Supreme Court took a different view and held that a Cooperative Urban Bank can avail the remedy under the Statute, under which it was constituted.

In view of the judgment of the Apex Court, which negatived the view taken by a Full Bench of this court, the writ petition is dismissed. There shall be no order as to costs.

L.NARASIMHA REDDY, J

22nd August, 2007.
cvm

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[1] . 2005 (4) ALD 582 (F.B.)